

# PGI PART 228 - BONDS AND INSURANCE

## [PGI 228.3 —INSURANCE](#)

### [PGI 228.304 Risk-pooling arrangements.](#)

### [PGI 228.305 Overseas workers' compensation and war-hazard insurance.](#)

### [PGI 228.370 Additional clauses.](#)

**Parent topic:** [PGI Defense Federal Acquisition Regulation](#)

## PGI 228.3 —INSURANCE

### PGI 228.304 Risk-pooling arrangements.

(1) The plan—

(i) Is implemented by attaching an endorsement to standard insurance policy forms for workers' compensation, employer's liability, comprehensive general, and automobile liability. The endorsement states that the instant policy is subject to the National Defense Projects Rating Plan.

(ii) Applies to eligible defense projects of one or more departments/agencies. For purposes of this section, a defense project is any eligible contract or group of contracts with the same contractor.

(A) A defense project is eligible when—

(1) Eligible contracts represent, at the inception of the plan, at least 90 percent of the payroll for the total operations at project locations; and

(2) The annual insurance premium is estimated to be at least \$10,000.

(B) A contract is eligible when it is—

(1) Either domestic or foreign;

(2) Cost-reimbursement type; or

(3) Fixed price with redetermination provisions.

(2) Under construction contracts, include construction subcontractors in the prime contractor's plan only when subcontractor operations are at the project site, and the subcontract provides that the prime contractor will furnish insurance.

(3) Use the agreement in Table 28-1, Insurance Rating Plan Agreement, when the Government assumes contractor premium payments upon contract termination or completion.

(4) The Federal Tort Claims Act provides protection for Government employees while driving Government-owned vehicles in the performance of their assigned duties. Include the endorsement in Table 28-2, Automobile Insurance Policy Endorsement, in automobile liability insurance policies provided under the National Defense Projects Rating Plan.

TABLE 28-1, INSURANCE  
RATING PLAN RATING  
AGREEMENT

Special Casualty Insurance  
Rating Plan  
Assignment-Assumption of  
Premium Obligations

It is agreed that 100  
percent\* of the return  
premiums and premium  
refunds (and dividends) due  
or to become due the prime  
contractor under the  
policies to which the  
National Defense Projects  
Rating Plan Endorsement  
made a part of policy  
\_\_\_\_\_ applies  
are hereby assigned to and  
shall be paid to the United  
States of America, and the  
prime contractor directs the  
Company to make such  
payments to the office  
designated for contract  
administration acting for  
and on account of the  
United States of America.

The United States of  
America hereby assumes  
and agrees to fulfill all  
present and future  
obligations of the prime  
contractor with respect to  
the payment of 100  
percent\* of the premiums  
under said policies.

This agreement, upon  
acceptance by the prime  
contractor, the United  
States of America, and the  
Company shall be effective  
from  
\_\_\_\_\_

Accepted \_\_\_\_\_  
(Date)

\_\_\_\_\_ (Name  
of Insurance Company)

By \_\_\_\_\_ (Title of  
Official Signing)

Accepted \_\_\_\_\_  
(Date)

United States of America

By \_\_\_\_\_  
(Authorized Representative)

Accepted \_\_\_\_\_  
(Date)

\_\_\_\_\_ (Prime  
Contractor)

By \_\_\_\_\_  
(Authorized Representative)

\*In the event the Government has less than a 100 percent interest in premium funds or dividends, modify the assignment to reflect the percentage of interest and extent of the Government's assumption of additional premium obligation.

#### TABLE 28-2, AUTOMOBILE INSURANCE POLICY ENDORSEMENT

It is agreed that insurance provided by the policy with respect to the ownership, maintenance, or use of automobiles, including loading and unloading thereof, does not apply to the following as insureds: The United States of America, any of its agencies, or any of its officers or employees.

### **PGI 228.305 Overseas workers' compensation and war-hazard insurance.**

(d) Submit requests for waiver through department/agency channels. Include the following in the request:

(i) Name and address of contractor.

(ii) Contract number.

- (iii) Date of award.
- (iv) Place of performance.
- (v) Name of insurance company providing Defense Base Act coverage.
- (vi) Nationality of employees to whom waiver is to apply.
- (vii) Reason for waiver.

## **PGI 228.370 Additional clauses.**

(b)(3) DFARS [252.228-7001](#), Ground and Flight Risk Clause, requires the assignment of a Government Flight Representative (GFR) to administer the requirements of the combined instruction Contractor's Flight and Ground Operations, (DCMA INST 8210.1, AFI 10-220, AR 95-20, NAVAIRINST 3710.1 (Series), and COMDTINST M13020.3). At the time the solicitation is issued, contracting officers shall contact DCMA Aircraft Operations (AO) and the appropriate Military Service to obtain technical advice and allow adequate lead time for assigning a GFR. Make requests for assignment of a GFR to—

HQ DCMA: DCMA-AO

8000 Jefferson Davis Highway

Building 4A

Richmond, VA 23297

804-279-6322

Email: AOInbox@dcma.mil (include "Ground and Flight Risk Clause" on the subject line)

Army: HQ, Army Materiel Command

ATTN: AMCOL-CA

4400 Martin Road

Redstone Arsenal, AL 35898

256-450-7021

Navy: Commander, Naval Air Systems Command (AIR-09F)

22541 Millstone Road, Unit 10

Patuxent River, MD 20670-1601

301- 342-7233

Air Force: HQ AFMC/A3V

508 W. Choctawhatchee

Eglin AFB, FL 32542-5713

850- 882-7890

Workflow: afmc.a3v@us.af.mil

Coast Guard: Commanding Officer

Aviation Logistics Center

U.S. Coast Guard

1664 Weeksville Road, Building 63

Elizabeth City, NC 27909-6725